

(B) provide access to medical records of the physician's patients upon authorization of the patient and any copies of medical records for a reasonable fee as established by the Texas State Board of Medical Examiners under Section 5.08(o), Medical Practice Act (Article 4495b, Vernon's Texas Civil Statutes); and

(C) provide that any access to a list of patients or to patients' medical records after termination of the contract or employment shall not require such list or records to be provided in a format different than that by which such records are maintained except by mutual consent of the parties to the contract;

(2) the covenant must provide for a buy out of the covenant by the physician at a reasonable price or, at the option of either party, as determined by a mutually agreed upon arbitrator or, in the case of an inability to agree, an arbitrator of the court whose decision shall be binding on the parties; and

(3) the covenant must provide that the physician will not be prohibited from providing continuing care and treatment to a specific patient or patients during the course of an acute illness even after the contract or employment has been terminated.

SECTION 2. This Act applies to a covenant entered into on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 1999.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 4, 1999, by a non-record vote; passed by the Senate on May 26, 1999: Yeas 30, Nays 0.

Approved June 20, 1999.

Effective September 1, 1999.

CHAPTER 1575

H.B. No. 3330

AN ACT

relating to the administration of regulations for water well drillers and water well pump installers.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 32.002, Water Code, is amended by adding Subsection (k) to read as follows:

(k) This section does not apply to a person who drills, bores, cores, or constructs a dewatering well or system to remove water for the purposes of constructing a highway, road, bridge, drainage, or underground utility project.

SECTION 2. Section 32.010, Water Code, is amended by adding Subsection (b) to read as follows:

(b) Grounds for revocation, suspension, placement on probation, or reprimand under Subsection (a) include:

(1) intentionally misstating or misrepresenting a fact on an application or well log or to a person for whom a well is being drilled, deepened, or otherwise altered;

(2) failing to keep and transmit well logs as required by Section 32.005;

(3) failing to advise a person for whom a well is being drilled that:

(A) injurious water has been encountered;

(B) the water is a pollution hazard; and

(C) the well must be immediately plugged in an acceptable manner; or

(4) failing to complete a well in accordance with standards and procedures adopted by the department.

SECTION 3. Section 32.011, Water Code, is amended by adding Subsection (c) to read as follows:

(c) An administrative penalty may be assessed under this section only after the person charged with a violation has been given an opportunity for a public hearing.

SECTION 4. Section 32.014(b), Water Code, as amended by Chapters 333 and 1077, Acts of the 75th Legislature, Regular Session, 1997, is amended to read as follows:

(b) All money collected by the department under this chapter shall be deposited to the credit of the water well drillers [commission-occupational-licensing] account in the general revenue fund and may be used only to administer this chapter. The department shall allocate not more than 20 percent of the money in the account to cover administrative costs of the department.

SECTION 5. Section 33.012(b), Water Code, as amended by Chapters 333 and 1077, Acts of the 75th Legislature, Regular Session, 1997, is amended to read as follows:

(b) All money collected by the department under this chapter shall be deposited to the credit of the water well drillers [commission-occupational-licensing] account in the general revenue fund and may be used only to administer this chapter. The department shall allocate not more than 20 percent of the money in the account to cover administrative costs of the department.

SECTION 6. Section 33.002, Water Code, is amended by adding Subsection (j) to read as follows:

(j) This section does not apply to a person who installs or repairs well pumps and equipment to remove water for the purposes of constructing a highway, road, bridge, drainage, or underground utility project.

SECTION 7. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 16, 1999: Yeas 136, Nays 0, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 3330 on May 19, 1999: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 17, 1999: Yeas 30, Nays 0.

Approved June 20, 1999.

Effective June 20, 1999.

CHAPTER 1576

H.B. No. 3333

AN ACT

relating to certain duties of local workforce development boards in connection with the provision of child care.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter G, Chapter 2308, Government Code, is amended by adding Sections 2308.315 and 2308.316 to read as follows:

Sec. 2308.315. REIMBURSEMENT RATES FOR CHILD CARE. Each board shall establish graduated reimbursement rates for child care based on the Texas Workforce Commission's designated vendor program. The minimum reimbursement rate for designated vendors must be at least five percent greater than the maximum rate established for nondesignated vendors for the same category of care. The designated vendor rate differen-